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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/774,449	01/30/2001	Rai Abhyanker	10005056-1	3452

7590

04/06/2006

HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P.O. Box 272400  
Fort Collins, CO 80527-2400

EXAMINER
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COLBERT, ELLA

ART UNIT	PAPER NUMBER
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3624

DATE MAILED: 04/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/774,449	ABHYANKER ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Ella Colbert	3624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 23 January 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) 7,8,15,16,23 and 24 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6,9-14 and 17-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. Claims 1-24 are pending. Claims 7, 8, 15, 16, 23, and 24 have been cancelled and Group I, claims 1-7, 9-14, and 17-22 have been elected with traverse in response to the Election/Restriction requirement filed 1/23/06.

#### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 5, 6, 13, 14, 21, and 22 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 5, 13, and 21 recite the phrase "particular amount of credit" which is not clear from the claim language or the specification.

Claims 6, 14, and 22 recite the phrase "particular amount of flooring" which is not clear from the claim language or the specification.

#### ***Claim Objections***

4. Claims 2, 3, 10, and 11 are objected to because of the following informalities: Claim 2, page 3, line 2 recites "the receiving a set step includes ...". This line would be better recited "the receiving step includes ...". Claims 3, 10, and 11 have a similar problem. Appropriate correction is required.

#### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148

USPQ 459 (1966), that are applied for establishing a background for determining

obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

7. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

8. Claims 1 and 2, 9 and 10, and 17 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over (US 6,589,290) Maxwell et al.

Claims 1, 9 and 17. Maxwell discloses, A method, a computer-usable medium, and a system for consolidating financing in an internet exchange portal, comprising the steps of: receiving a set of financing applications at the internet exchange portal (col. 2, lines 12-24 and lines 53-67); generating a generic financing application from the set of

applications (col. 8, lines 13-26); and receiving data for the generic financing application and populating the set of financing applications with the data (col. 8, lines 27-55).

Maxwell did not expressly disclose a financial application. However, Maxwell's form fill process can be used for a financial application or any other application requiring that a form be filled. A financial application is considered to be a design choice.

Claims 2, 10, and 18. Maxwell discloses the receiving a set step includes the step of receiving a set of financial applications each including a set of data fields (col. 7, lines 41-63). Maxwell did not disclose the generating step includes the step of consolidating similar sets of data fields in each financing application into a generic data field in the generic financing application. Official notice is taken that it is old and well known in the art of filling in forms to consolidate data fields in an application into a generic data field in the application which is known as merging. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have the generating step include the step of consolidating similar sets of data fields in each financing application into a generic data field in the generic financing application and to modify in Maxwell because such a modification would allow Maxwell to have the capability of data population in a fillout form when a command is given.

8. Claims 3-6, 11-14, and 19-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over (US 6,589,290) Maxwell et al, hereafter Maxwell in view of (US 6,208,979) Sinclair.

Claims 3, 11, and 19. Maxwell did not disclose, the receiving a set step includes the step of receiving a set of financing applications from a corresponding set of lenders;

and the receiving data step includes the step of receiving data from a buyer. Sinclair discloses the receiving a set step includes the step of receiving a set of financing applications from a corresponding set of lenders; and the receiving data step includes the step of receiving data from a buyer (col. 6, line 60-col. 7, line 18). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have the step of receiving a set of financing applications from a corresponding set of lenders; and the receiving data step includes the step of receiving data from a buyer and to modify in Maxwell because such a modification would allow Maxwell to have the information filled in the application and to know what the buyer is trying to purchase.

Claims 4, 12, and 20. Maxwell did not disclose transmitting the set of financing applications to the lenders; and receiving a set of financing responses from the lenders including credit available to the buyer for purchasing goods within the internet exchange portal. Sinclair discloses transmitting the set of financing applications to the lenders; and receiving a set of financing responses from the lenders including credit available to the buyer for purchasing goods within the internet exchange portal (col. 7, lines 30-42). It would have been obvious to one having ordinary skill in the art at the time the invention was made to transmit the set of financing applications to the lenders; and receiving a set of financing responses from the lenders including credit available to the buyer for purchasing goods within the internet exchange portal and to modify in Maxwell because such a modification would allow Maxwell to allow the lenders to know the amount of money the buyer needs to purchase the goods.

Claims 5, 13, and 21. Maxwell did not disclose receiving from the buyer an offer to purchase goods from the seller over the portal; receiving from a seller an acceptance of the offer; and instructing the set of lenders to provide a particular amount of credit to the buyer as consideration for the goods. Sinclair discloses receiving from the buyer an offer to purchase goods from the seller over the portal; receiving from a seller an acceptance of the offer (col. 8, lines 18-45); and instructing the set of lenders to provide a particular amount of credit to the buyer as consideration for the goods (col. 8, line 59-col. 9, line 22). It would have been obvious to one having ordinary skill in the art at the time the invention was made to receive from the buyer an offer to purchase goods from the seller over the portal; receiving from a seller an acceptance of the offer; and instructing the set of lenders to provide a particular amount of credit to the buyer as consideration for the goods and to modify in Maxwell because such a modification would allow Maxwell to have an application that had been approved by lenders willing to provide the credit for the purchase of the goods.

Claims 6, 14, and 22. Maxwell did not disclose instructing the set of lenders to provide a particular amount of flooring to the buyer. Sinclair discloses instructing the set of lenders to provide a particular amount of flooring to the buyer (col. 8, lines 2-16). It would have been obvious to one having ordinary skill in the art at the time the invention was made to instruct the set of lenders to provide a particular amount of flooring to the buyer and to modify in Maxwell because such a modification would allow Maxwell to have the amount of credit provided to the buyer based on the fill-in application form.

***Conclusion***

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Markus (US 6,499,042) disclosed filling-in forms.

Woolston (US 6,202,051) disclosed internet commerce through internetworked auctions.

Stein et al (US 5,978,779) disclosed integrating and structuring relationships of financial services.

### **Inquiries**

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ella Colbert whose telephone number is 571-272-6741. The examiner can normally be reached on Tuesday-Thursday, 6:30AM-4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on 571-272-6747. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

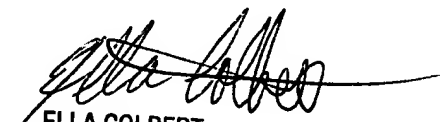


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Should you have questions on access to the Private PAIR system, contact the  
Electronic Business Center (EBC) at 866-217-9197 (toll-free).

April 3, 2006



ELLA COLBERT  
PRIMARY EXAMINER